

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

KELLY A. AYOTTE
ATTORNEY GENERAL



MICHAEL A. DELANEY
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December 21, 2005

Section 5 Submission

Chief, Voting Section
Civil Rights Division
Room 7254 – NWB
Department of Justice
950 Pennsylvania Ave., NW
Washington, DC 20006

Re: Submission Under Section 5 of the Voting Rights Act for:

New Hampshire Revised Statutes Annotated ("RSA") 500-A:1 and RSA 500-A:2, STATUTES related to the preparation of the Master Jury List, established by Laws of 1998 Chapter 237.

Dear Voting Section Chief:

Pursuant to 42 U.S.C. § 1973(c), the State of New Hampshire, through the Office of the New Hampshire Attorney General, hereby submits RSA 500-A:1 and RSA 500-A:2 STATUTES related to the preparation of the Master Jury List in part using voter lists, established by Laws of 1998 Chapter 237.

SUBMISSION:

In accordance with 28 C.F.R. § 51.27, the submission is as follows:

- a) Chapter 237 (1998) amending RSA 500-A:1 and RSA 500-A:2 is attached (Exhibit 500-A:1 A). The source of this chapter law, House Bill 616, showing the changes as marked text is also attached (Exhibit 500-A:1 B).
- b) RSA 500-A:1 and RSA 500-A:2 prior to amendment. (Exhibit 500-A:1 C).
- c) Chapter 237 (1998) for the first time added the voter checklist for each town and city in New Hampshire to the list of persons licensed to drive and those who have been issued a non-driver identification card as the pool from which jurors are chosen.

- d) This submission is made by: Senior Assistant Attorney General Orville B. Fitch II, 33 Capitol Street, Concord, New Hampshire 03301, Phone: (603) 271-1238.
- e) The submitting authority is New Hampshire Attorney General, Kelly A. Ayotte for the State of New Hampshire.
- f) Not applicable.
- g) The changes for which pre-clearance is sought were made by a decision of the New Hampshire General Court (Legislature).
- h) In accordance with Amendment X of the U.S. Constitution, the New Hampshire General Court, the State's legislature, acting pursuant to the New Hampshire Constitution Part Second, Article 2, granting supreme legislative power within the state to the House and Senate, who with right to negate each other are granted power to make law through Part Second, Article 5. Additional authority regarding election law is vested in Part First, Article 11.

The legislature through a bicameral process passed law to create Chapter 237 (Exhibit 500-A:1 A). The bill became law on January 1, 1999.

- i) Adoption dates:

1. Chapter 237 (1998) was adopted June 25, 1998.

- j) Effective dates:

1. Chapter 237 (1998) effective January 1, 1999.

- k) The changes have been enforced.

- l) The changes affect the entire State of New Hampshire.

- m) The purpose for this law is to ensure that the pool from which jurors is chosen contains as many of the eligible persons as possible. Adding the list of all registered voters to the list of all person licensed to driver or who have been issued a non-driver state identification card makes the master jury list more inclusive, by including those voters who do not have a driver's license or non-driver state identification card.

Section 237:1 shifts the duty for creating the master jury list from the Department of Safety to the Administrative Office of the Courts. It also requires that the list consist of the voter checklists and the motor vehicle divisions records on persons licensed to drive or who have been issued state non-driver identification cards.

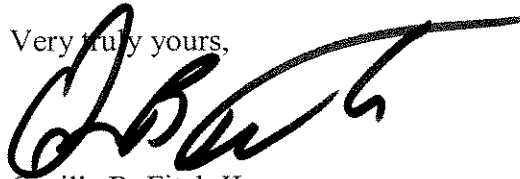
Section 237:2 adds new definitions to the RSA 500-A:1, defining the voter lists in a manner that effectively makes the voter list the voter checklist.

Section 237:3 amends RSA 500-A:2 to make the voter lists provided to the Administrative Office of the Courts for this purpose confidential documents, to be used by the courts only for the purpose of jury selection.

- n) These changes do not negatively target any protected class under section 5 of the Voting Rights Act of 1965. 42 U.S.C. § 1973(c). They are expected to have neutral impact and do not meet the test of retrogression defined in *Reno v. Bossier Parish Sch. Bd*, 520 U.S. 471, 478 (1997). “(T)he ability of minority groups ... to elect their choices to office” will not be diminished. *Beer v. U.S.*, 425 U.S. 130, 141 (1976).
- o) None known.
- p) Prior to the amendments being submitted, these statutes did not affect voting and therefore were not subject to preclearance.
- q) Not applicable as this is not a redistricting plan.
- r) Exhibit 500-A:1 D is a copy of a Press Release of this submission, its availability, and inviting comment to federal Department of Justice.

I expect the foregoing information is sufficient to enable the United States Attorney General to make the required determination pursuant to Section 5 of the Voting Rights Act. If further information is required or would be helpful, please contact me.

Very truly yours,



Orville B. Fitch II
Senior Assistant Attorney General
Civil Bureau
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bud.fitch@doj.nh.gov

Successful relationships between health care providers and patients require trust. For physicians to make accurate diagnoses, prescribe effective treatment and provide appropriate care, patients must disclose personal, often intimate, information they would not necessarily want known to others. Consequently, the general court recognizes that medical information should be used only in connection with providing or paying for an individual's health care. Medical information that allows the identification of a patient should not be a commodity in the marketplace.

236:2 New Paragraph; Confidentiality of Medical Information. Amend RSA 332-I:1 by inserting after paragraph II the following new paragraph:

III. Release or use of patient identifiable medical information for the purpose of sales or marketing of services or products shall be prohibited without written authorization.

236:3 New Subparagraph; Medical Information; Pharmacists; Disciplinary Actions. Amend RSA 318:29, V by inserting after subparagraph (i) the following new subparagraph:

(j) The sale, rental, trade, transfer, or release of patient identifiable medical information for the purpose of sales or marketing of services or products without written authorization.

236:4 Effective Date. This act shall take effect July 1, 1998.

[Approved: June 25, 1998]

[Effective Date: July 1, 1998]

CHAPTER 237 (HB 616)

AN ACT RELATIVE TO JURY SELECTION REFORMS.

Be it Enacted by the Senate and House of Representatives in General Court convened:

237:1 Master Jury List; Definition. Amend RSA 500-A:1, IV to read as follows:

IV. "Master jury list" means the list blended and compiled by the administrative office of the courts from the voter lists and from the official record of persons who hold a current New Hampshire driver's license or a department of safety identification card, which shall be provided to the office by the department.

237:2 New Paragraphs; Definitions. Amend RSA 500-A:1 by inserting after paragraphs IV the following new paragraphs:

V. "Office" means the administrative office of the courts.

VI. "Voter lists" means the official record of persons registered to vote in the most recent state general election and town lists, which are the combined and alphabetically arranged lists prepared by the selectmen and city wards for their respective jurisdictions made up of all adults listed on the voter registration lists, and provided to the office by the selectmen and city wards.

237:3 Preparation of Master Jury List. Amend RSA 500-A:2 to read as follows:

500-A:2 Preparation of Master Jury List. The office shall annually prepare and deliver to the clerk of court a master jury list for each county or judicial

district thereof. A duplicate list shall be provided to the clerk of the court. All as provided in RSA 500-A:1, A.

237:4
read as

(3) Subject to any physical or mental condition that may impair a prospective juror's capacity to render

237:5 New Section; Qualifications for Jurors. Amend after section 7 the following new section:

500-A:7-a Qualifications for Jurors.

I. A juror shall be 18 years of age and a citizen of the United States. II. A juror shall be a citizen of the State of New Hampshire. III. A juror shall have the ability to read, speak and understand the English language. IV. A juror shall not be subject to any physical or mental condition that would bar effective jury service. V. A juror shall not have been convicted of a crime for which the sentence was annulled or which is not eligible for annulment.

of jury service.

language.

would bar effective jury service.

annulled or which is not eligible for

237:6 New Subparagraph; Felon Convicted. Amend RSA 500-A:1, IV to read as follows:

(b) Require the prospective juror to be:

(1) A citizen of the United States.

(2) Able to read, speak and understand the English language.

(3) Subject to any physical or mental condition that may impair a prospective juror's capacity to render satisfactory jury service.

(4) A convicted felon whose conviction is not eligible for annulment.

237:7 Repeal. The following are repealed:

I. RSA 500-A:9, I, relative to juror qualification.

II. RSA 500-A:9, V-VI, relative to juror qualification.

237:8 Effective Date. This act shall take effect January 1, 1999.

[Approved: June 25, 1998]

[Effective Date: January 1, 1999]

CHAPTER 238

AN ACT RELATIVE TO DISTRIBUTION OF EASEMENTS, PROPERTY AND REPURCHASE OF TAX LOTS.

Be it Enacted by the Senate and House of Representatives in General Court convened:

238:1 Statement of Intent. The intent of this act is to provide for the repurchase of a municipality when property owned by the municipality is sold for substantially less than its fair market value.

care providers and patients require diagnoses, prescribe effective treatment must disclose personal, often intimate, information known to others. Consequently, the information should be used only in connection with an individual's health care. Medical information should not be a commodity in the

Confidentiality of Medical Information. Amend RSA 500-A:1, II the following new paragraph:
 (b) Medical information for the purpose of marketing of services or products without written consent shall be prohibited without written

Confidentiality of Medical Information; Pharmacists; Disciplinary Action. Amend RSA 500-A:1, II the following new paragraph:

(b) The release of patient identifiable medical information for the purpose of marketing of services or products without written consent shall be prohibited without written

take effect July 1, 1998.

7 (HB 616)

SELECTION REFORMS.

of Representatives in General Court

Amend RSA 500-A:1, IV to read as

blended and compiled by the administrator lists and from the official record of driver's license or a department of provided to the office by the department.

Amend RSA 500-A:1 by inserting paragraphs:

office of the courts.
 order of persons registered to vote in the town lists, which are the combined and the selectmen and city wards for their lists listed on the voter registration lists, town and city wards.

List. Amend RSA 500-A:2 to read as

List. The office shall annually prepare a jury list for each county or judicial

district thereof. A duplicate list shall be retained by the office. Voter lists and department of safety lists, as well as the master jury list, are confidential documents to be used by the office and the respective trial courts only for purposes of jury selection.

237:4 Juror Qualification Form. Amend RSA 500-A:6, III(b)(2) and (3) to read as follows:

- (2) Able to read, speak and understand the English language;
- (3) Subject to any physical or mental disability which would impair the prospective juror's capacity to render satisfactory jury service;

237:5 New Section; Qualifications of Jurors. Amend RSA 500-A by inserting after section 7 the following new section:

500-A:7-a Qualifications for Jurors.

I. A juror shall be 18 years of age or older on or before the first day of reporting for jury duty.

II. A juror shall be a citizen of the United States and a resident of the county of jury service.

III. A juror shall have the ability to read, speak, and understand the English language.

IV. A juror shall not be subject to any physical or mental disability which would bar effective jury service.

V. A juror shall not have been convicted of any felony which has not been annulled or which is not eligible for annulment under New Hampshire law.

237:6 New Subparagraph; Felony Conviction. Amend RSA 500-A:6, III(b) to read as follows:

- (b) Require the prospective juror to specify if he is:
 - (1) A citizen of the United States and a resident of the county;
 - (2) Able to read, speak and understand the English language;
 - (3) Subject to any physical or mental disability which would impair his capacity to render satisfactory jury service; or
 - (4) A convicted felon whose conviction has not been annulled or whose conviction is not eligible for annulment under New Hampshire law; and

237:7 Repeal. The following are repealed:

- I. RSA 500-A:9, I, relative to jury exemptions.
- II. RSA 500-A:9, V-VI, relative to qualifications of jurors.

237:8 Effective Date. This act shall take effect January 1, 1999.

[Approved: June 25, 1998]

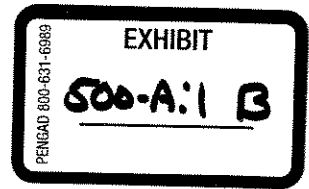
[Effective Date: January 1, 1999]

CHAPTER 238 (HB 676)

AN ACT RELATIVE TO DISTRIBUTION OF PROCEEDS FROM THE SALE OF TAX-DEEDED PROPERTY AND REPURCHASE OF TAX-DEEDED PROPERTY BY A FORMER OWNER.

Be it Enacted by the Senate and House of Representatives in General Court convened:

238:1 Statement of Intent. The purpose of this act is to prevent unjust enrichment of a municipality when property which a municipality has acquired by tax deed is sold for substantially more than the amount of taxes, costs and



HB 616-FN - FINAL VERSION

12mar97.....0517h

7jan98.....0065h

29jan98.....0359h

1997 SESSION

97-0920

09/02

HOUSE BILL **616-FN**

AN ACT relative to jury selection reforms.

SPONSORS: Rep. Mittelman, Hills 37; Rep. Knowles, Straf 11

COMMITTEE: Judiciary and Family Law

AMENDED ANALYSIS

This bill changes the method for compiling the master jury list. The voter lists and the driver's license list will be blended annually into a master jury list by the administrative office of the courts.

The bill specifies that the master jury list, voter lists, and driver's license list are confidential documents.

The bill also repeals the most jury exemptions. The bill prohibits a convicted felon whose conviction has not been annulled or is not eligible for annulment under New Hampshire law from serving on juries.

Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

12mar97.....0517h

7jan98.....0065h

29jan98.....0359h

97-0920

09/02

STATE OF NEW HAMPSHIRE

In the Year of Our Lord One Thousand Nine Hundred and Ninety-Seven

AN ACT relative to jury selection reforms.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Master Jury List; Definition. Amend RSA 500-A:1, IV to read as follows:

IV. "Master jury list" means the list ***blended and*** compiled by the [department] ***administrative office of the courts*** from the ***voter lists and from the*** official record of persons who hold a current New Hampshire driver's license or a department of safety identification card, ***which shall be provided to the office by the department.***

2 New Paragraphs; Definitions. Amend RSA 500-A:1 by inserting after paragraphs IV the following new paragraphs:

V. "Office" means the administrative office of the courts.

VI. "Voter lists" means the official record of persons registered to vote in the most recent state general election and town lists, which are the combined and alphabetically arranged lists prepared by the selectmen and city wards for their respective jurisdictions made up of all adults listed on the voter registration lists, and provided to the office by the selectmen and city wards.

3 Preparation of Master Jury List. Amend RSA 500-A:2 to read as follows:

500-A:2 Preparation of Master Jury List. The [department] ***office*** shall annually prepare and deliver to the clerk of court a master jury list for each county or judicial district thereof. A duplicate list shall be retained by the [department] ***office. Voter lists and department of safety lists, as well as the master jury list, are confidential documents to be used by the office and the respective trial courts only for purposes of jury selection.***

4 Juror Qualification Form. Amend RSA 500-A:6, III(b)(2) and (3) to read as follows:

(2) Able to read, speak and understand the English language; [ø]

(3) Subject to any physical or mental disability which would impair [his] ***the prospective juror's*** capacity to render satisfactory jury service; [and]

5 New Section; Qualifications of Jurors. Amend RSA 500-A by inserting after section 7 the following new section:

500-A:7-a Qualifications for Jurors.

I. A juror shall be 18 years of age or older on or before the first day of reporting for jury duty.

II. A juror shall be a citizen of the United States and a resident of the county of jury service.

III. A juror shall have the ability to read, speak, and understand the English language.

IV. A juror shall not be subject to any physical or mental disability which would bar effective jury service.

V. A juror shall not have been convicted of any felony which has not been annulled or which is not eligible for annulment under New Hampshire law.

6 New Subparagraph; Felony Conviction. Amend RSA 500-A:6, III(b) to read as follows:

(b) Require the prospective juror to specify if he is:

(1) A citizen of the United States and a resident of the county;

(2) Able to read, speak and understand the English language; [~~or~~]

(3) Subject to any physical or mental disability which would impair his capacity to render satisfactory jury service; [~~and~~] *or*

(4) A convicted felon whose conviction has not been annulled or whose conviction is not eligible for annulment under New Hampshire law; and

7 Repeal. The following are repealed:

I. RSA 500-A:9, I, relative to jury exemptions.

II. RSA 500-A:9, V-VI, relative to qualifications of jurors.

8 Effective Date. This act shall take effect January 1, 1999.

LBAO

97-0920

Amended 1/26/98

HB 616 FISCAL NOTE

AN ACT relative to jury selection reforms.

FISCAL IMPACT:

The Administrative Office of the Courts has stated this bill, as amended by the House, will have no fiscal impact on state, county and local revenues or expenditures.

METHODOLOGY:

The Administrative Office of the Courts has stated any costs associated with this bill can be absorbed within their existing budget.

JURORS

500-A:1

This chapter is not invalid for vagueness and lack of standards governing selection. *State v. Fleury* (1974) 114 N.H. 325, 321 A.2d 108. (Decided prior to 1981 revision of chapter.)

2. Discretion of trial court

The extent of the voir dire examination is

ANNOTATIONS UNDER FORMER RSA 500

1. Constitutionality

For discussion of constitutionality of former RSA 500, see *State v. Thomson* (1968) 109 N.H. 205, 247 A.2d 179, cert. denied, 394 U.S. 903, 89 S.Ct. 1011, 22 L.Ed.2d 216 (1969).

2. Standards governing jury selection

Due process and equal protection require

within the trial court's broad discretion and will not be disturbed unless it is manifestly against the law and the evidence. *State v. Jaroma* (1993) 137 N.H. 143, 625 A.2d 1049.

impartiality and indifference in the jury selected for a trial but do not impose upon states the jury selection standards of the federal system. *State v. Fleury* (1974) 114 N.H. 325, 321 A.2d 108. (Decided prior to 1981 revision of chapter.)

LIBRARY REFERENCES

New Hampshire Court Rules

Request for trial by jury, see Rule 8, Rules of the Superior Court, New Hampshire Court Rules Annotated.

New Hampshire Practice

1 N.H.P. Criminal Practice and Procedure §§ 434, 514, 745.

2 N.H.P. Criminal Practice and Procedure §§ 905, 910.

5 N.H.P. Civil Practice & Procedure §§ 1451

et seq., 1471 et seq., 1491 et seq., 1611 et seq., 1631 et seq.

ALR

Age group underrepresentation in grand jury or petit jury venire. 62 ALR4th 859.

Propriety of attorney's communication with jurors after trial. 19 ALR4th 1209.

Propriety of order forbidding news media from publishing names and addresses of jurors in criminal cases. 36 ALR4th 1126.

500-A:1 Definitions. In this chapter:

I. "Clerk" means the clerk of the superior court in each county or judicial district or any of his deputies.

II. "Court" means the superior court and regional jury trial courts.

III. "Department" means the New Hampshire department of safety.

IV. "Master jury list" means the list compiled by the department from the official record of persons who hold a current New Hampshire driver's license or a department of safety identification card.

HISTORY

Source. 1971, 456:10. 1981, 527:2. 1992, 38:1. 1995, 277:13, eff. Aug. 19, 1995.

Amendments—1995. Paragraph II: Added "and regional jury trial courts" following "superior court".

—1992. Amended section generally.

Nullification of 1992, ch. 284 amendment. Pursuant to 1992, 284:90, eff. Jan. 1, 1993, the amendment to this section by 1992, 284:27, which duplicated the amendment to this section by 1992, 38:1, shall not take effect.

500-A:2 Preparation of Master Jury List. The department shall annually prepare and deliver to the clerk of court a master jury list for each county or judicial district thereof. A duplicate list shall be retained by the department.

HISTORY

Source. 1971, 456:10. 1977, 473:3. 1981, 527:2. 1992, 38:2. 1993, 190:2, eff. Jan. 1, 1994.

Amendments—1993. Deleted “between June 1 and July 1” following “annually” in the first sentence.

—1992. Amended section generally.

Nullification of 1992, ch. 284 amendment. Pursuant to 1992, 284:90, eff. Jan. 1, 1993, the amendment to this section by 1992, 284:28, which duplicated the amendment to this section by 1992, 38:2, shall not take effect.

CROSS REFERENCES

Master jury list defined, see RSA 500-A:1.

ANNOTATIONS

1. Conformity of list to statistical composition of community

Lists from which prospective jurors are selected need not be a statistical mirror of the community. *State v. Breest* (1976) 116 N.H. 734, 367 A.2d 1320. (Decided prior to 1981 revision of chapter.)

The list from which prospective jurors are drawn need not be a statistical mirror of the community and less than a proportional representation of some categories of the populace is not fatal where it is not clearly shown to result from purposeful and systematic exclusion of groups cognizable as a distinct class.

State v. Fleury (1974) 114 N.H. 325, 321 A.2d 108. (Decided prior to 1981 revision of chapter.)

Voter lists may be used to select prospective jurors, even though they lack any substantial number of young people. *State v. Fleury* (1974) 114 N.H. 325, 321 A.2d 108. (Decided prior to 1981 revision of chapter.)

Cited

Cited in *State v. Elbert* (1981) 121 N.H. 43, 424 A.2d 1147; *LaRoche v. Perrin*, 718 F.2d 500 (1st Cir. 1983); *Smith v. Cunningham*, 782 F.2d 292 (1st Cir. 1986).

LIBRARY REFERENCES

New Hampshire Practice

1 N.H.P. Criminal Practice and Procedure §§ 440, 520, 750.

population—jury selection statutes. 97 ALR3d 434.

ALR

Validity of statutory classifications based on

500-A:3 Preparation of Master Jury List.

[Repealed 1992, 38:5, I, eff. Jan. 1, 1993.]

HISTORY

Former RSA 500-A:3, which was derived from 1971, 456:10 and 1981, 527:2, related to preparation of a master jury list. See now RSA 500-A:2.

Nullification of 1992, ch. 284 amendment. Pursuant to 1992, 284:90, eff. Jan. 1, 1993, the amendment to this section by 1992, 284:28, which duplicated the amendment to this section by 1992, 38:2, shall not take effect.

500-A:3-a Preparation of Master Jury List. Pursuant to 1992, 284:90, eff. Jan. 1, 1993, the amendment to this section by 1992, 284:28, which duplicated the amendment to this section by 1992, 38:2, shall not take effect.

Source. 1990, 210:1, eff. Jan. 1, 1991.

References in text. RSA 500-A:3.

500-A:4 Prohibition on Exclusion from Jury Service. Pursuant to 1992, 284:90, eff. Jan. 1, 1993, the amendment to this section by 1992, 284:28, which duplicated the amendment to this section by 1992, 38:2, shall not take effect.

Source. 1971, 456:10. 1977, 473:3. 1981, 527:2. 1992, 38:2. 1993, 190:2, eff. Jan. 1, 1994.

Exclusion of person from jury service. Pursuant to 1992, 284:90, eff. Jan. 1, 1993, the amendment to this section by 1992, 284:28, which duplicated the amendment to this section by 1992, 38:2, shall not take effect.

Cited

Cited in *Smith v. Cunningham*, 782 F.2d 292 (1st Cir. 1986).

CJS

Juries § 134 et seq.

500-A:5 Eligibility for Jury Service. Pursuant to 1992, 284:90, eff. Jan. 1, 1993, the amendment to this section by 1992, 284:28, which duplicated the amendment to this section by 1992, 38:2, shall not take effect.

Source. 1971, 456:10. 1977, 473:3. 1981, 527:2. 1992, 38:2. 1993, 190:2, eff. Jan. 1, 1994.

JURORS

500-A:5

Department shall annually
ster jury list for each
all be retained by the

1992, ch. 284 amendment.
284:90, eff. Jan. 1, 1993, the
s section by 1992, 284:28,
he amendment to this sec-
shall not take effect.

74) 114 N.H. 325, 321 A.2d
to 1981 revision of chap-

used to select prospective
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people. State v. Fleury
5, 321 A.2d 108. (Decided
on of chapter.)

Elbert (1981) 121 N.H. 43,
oche v. Perrin, 718 F.2d 500
h v. Cunningham, 782 F.2d

selection statutes. 97

aster jury list. See now

Nullification of 1992, ch. 284 repeal. Pursuant to 1992, 284:90, eff. Jan. 1, 1993, the repeal of this section by 1992, 284:86, II, which duplicated the repeal of this section by 1992, 38:5, I, shall not take effect.

500-A:3-a Preparation of Master Jury List; Computer. Notwithstanding RSA 500-A:3, in municipalities which have computerized lists, the names on the master jury list may be chosen by computer on a random basis rather than by random draw.

HISTORY

Source. 1990, 210:1, eff. June 1, 1990. to in the text of this section, was repealed by 1992, 38:5, I, eff. Jan. 1, 1993.
References in text. RSA 500-A:3, referred

500-A:4 Prohibition of Discrimination. A citizen of this state shall not be excluded from jury service on account of race, color, religion, sex, national origin or economic status.

HISTORY

Source. 1971, 456:10. 1981, 527:2, eff. Aug. 28, 1981.

CROSS REFERENCES

Exclusion of person from list on basis of recent jury service, see 500-A:16.
Exemptions from jury service, see RSA 500-A:9.

ANNOTATIONS

Cited

Cited in Smith v. Cunningham, 782 F.2d 292
(1st Cir. 1986).

LIBRARY REFERENCES

CJS

Juries § 134 et seq.

500-A:5 Eligibility for Jury Service. Eligibility shall be determined by rule of court.

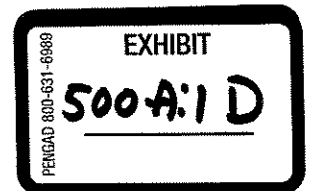
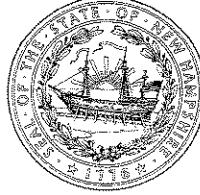
HISTORY

Source. 1971, 456:10. 1977, 473:1. 1981, 527:2, eff. Aug. 28, 1981.

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

KELLY A. AYOTTE
ATTORNEY GENERAL



MICHAEL A. DELANEY
DEPUTY ATTORNEY GENERAL

News Release

RELEASED BY: Attorney General Kelly A. Ayotte

SUBJECT: Voting Rights Act – Submission of a request for preclearance of changes to New Hampshire Voting laws and procedures

DATE: June 10, 2005

RELEASE TIME: Immediate

Attorney General Kelly A. Ayotte announces the submission of requests for preclearance of changes made to the election laws in New Hampshire to the Federal Department of Justice. Preclearance submissions will address changes made to New Hampshire's election laws since jurisdictions in the State became subject to preclearance.

Ten New Hampshire towns are subject to section 5 of the federal Voting Rights Act. Changes to New Hampshire election laws that affect any of these ten towns must be submitted for review by either the Federal Department of Justice or the Federal District Court for Washington D.C. The federal Department of Justice will review the changes to New Hampshire's election laws to ensure that the changes do not have the effect of denying or abridging the right to vote on account of race or color, or membership in a language minority group. Changes to New Hampshire redistricting statutes have been submitted to, and approved by, the U.S. Justice Department since the 1980 census. Federal regulations require that the public be notified that the State has filed a request for preclearance and that the submission be available for public inspection.

Copies of each submission by the Attorney General for the State of New Hampshire are available at the office of the Attorney General at 33 Capitol Street, Concord New Hampshire, 03301. Each document will also be made available at the Attorney General's Office web site at:

<http://www.doj.nh.gov/elections/>

Attorney General Ayotte and the federal Department of Justice invite persons interested in this submission to submit comments and information, in writing or by telephone, to the Voting Section of the Federal Department of Justice, Civil Rights Division, at the earliest possible date to ensure that they may be considered during the preclearance review time period. Telephone 1-800-253-3931 or (202) 307-2385 or write Chief, Voting Section, Civil Rights Division, Room 7354 – NWB, Department of Justice, 950 Pennsylvania Ave., NW, Washington, DC 20530. The envelope and first page should be marked "Comment under section 5." Additional information on the Voting Rights Act and the preclearance process can be obtained at the web site of the Federal Department of Justice at:

<http://www.usdoj.gov/crt/voting/index.htm>

The New Hampshire Attorney General's Office Voting section can be contacted at:

<http://www.doj.nh.gov/elections/>
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